

1-1 By: Powell S.B. No. 383  
 1-2 (In the Senate - Filed January 21, 2021; March 9, 2021, read  
 1-3 first time and referred to Committee on Health & Human Services;  
 1-4 March 22, 2021, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 0; March 22, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to disclosure requirements of certain facilities that  
 1-20 provide care for persons with Alzheimer's disease and related  
 1-21 disorders.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter B, Chapter 242, Health and Safety  
 1-24 Code, is amended by adding Section 242.0405 to read as follows:

1-25 Sec. 242.0405. NOTICE OF ALZHEIMER'S DISEASE AND RELATED  
 1-26 DISORDERS CERTIFICATION. (a) A nursing facility shall prepare a  
 1-27 written notice disclosing whether the facility is certified or is  
 1-28 not certified under Section 242.040 to provide specialized care and  
 1-29 treatment for facility residents with Alzheimer's disease and  
 1-30 related disorders.

1-31 (b) The nursing facility shall provide the notice described  
 1-32 by Subsection (a) to:

- 1-33 (1) each facility resident; and
- 1-34 (2) each person applying for services from the  
 1-35 facility or the person's next of kin or guardian.

1-36 SECTION 2. Section 242.202(d), Health and Safety Code, is  
 1-37 amended to read as follows:

1-38 (d) The disclosure statement must contain the following  
 1-39 categories of information:

- 1-40 (1) the institution's philosophy of care;
- 1-41 (2) ~~whether the institution is certified under~~  
 1-42 ~~Section 242.040 for the provision of specialized care and treatment~~  
 1-43 ~~of residents with Alzheimer's disease and related disorders;~~
- 1-44 ~~[(3)]~~ the preadmission, admission, and discharge  
 1-45 process;
- 1-46 (3) ~~[(4)]~~ resident assessment, care planning, and  
 1-47 implementation of the care plan;
- 1-48 (4) ~~[(5)]~~ staffing patterns, such as  
 1-49 resident-to-staff ratios, and staff training;
- 1-50 (5) ~~[(6)]~~ the physical environment of the  
 1-51 institution;
- 1-52 (6) ~~[(7)]~~ resident activities;
- 1-53 (7) ~~[(8)]~~ program costs;
- 1-54 (8) ~~[(9)]~~ systems for evaluation of the institution's  
 1-55 programs for residents;
- 1-56 (9) ~~[(10)]~~ family involvement in resident care; and
- 1-57 (10) ~~[(11)]~~ the toll-free telephone number maintained  
 1-58 by the department for acceptance of complaints against the  
 1-59 institution.

1-60 SECTION 3. Subchapter B, Chapter 247, Health and Safety  
 1-61 Code, is amended by adding Section 247.0295 to read as follows:

2-1 Sec. 247.0295. NOTICE OF ALZHEIMER'S DISEASE OR RELATED  
2-2 DISORDERS LICENSE CLASSIFICATION. An assisted living facility  
2-3 shall provide to each facility resident written notice disclosing  
2-4 whether the facility holds a license or does not hold a license  
2-5 classified under Section 247.029 to provide personal care services  
2-6 to residents with Alzheimer's disease or related disorders.

2-7 SECTION 4. Section 247.026(c-1), Health and Safety Code, is  
2-8 repealed.

2-9 SECTION 5. As soon as practicable after the effective date  
2-10 of this Act, the executive commissioner of the Health and Human  
2-11 Services Commission shall adopt rules to implement the changes in  
2-12 law made by this Act.

2-13 SECTION 6. This Act takes effect September 1, 2021.

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